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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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**XIONGEN JIAO, an individual, QIANJI JIAO, an individual, ZHONGHUA YI, an individual, PENGFEI ZHOU, an individual, XUAMEI ZHOU, an individual,**

***Plaintiffs,***

**vs.**

**NINGBO XU, an individual, and LCL COMPANY, LLC, a Texas Limited Liability Company,**

***Defendants,***

**and**

**DONGTAI INVESTMENT GROUP, LLC, a Texas Limited Liability Company,**

**Nominal Defendant.**

**Case No.: 4:19-CV-01848**

**Judge: Hon. Keith P. Ellison**

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**THE STATE OF TEXAS**

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**COUNTY OF HARRIS**

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BEFORE ME, the undersigned authority, on this day personally appeared Ronald J. Sommers, who, being known to me and duly sworn, upon oath deposed and stated as follows:

1. My name is Ronald J. Sommers. My business address is 2800 Post Oak Boulevard, 61<sup>st</sup> Floor, Houston, Texas 77056. I am over the age of eighteen (18) years, am fully competent to testify, have never been convicted of a felony or crime of moral turpitude and am in no way disqualified from making this affidavit. I have personal knowledge of every fact contained in this affidavit and they are all true and correct.

2. I am the Court-Appointed Receiver for Dongtai Investment Group, LLC (“DIG”). I have reviewed the business records for DIG that have been provided to me during the course of this receivership, and I— as well as my counsel, at my direction— have researched the bases for the claims that have been filed in the receivership.

3. Pursuant to the Court’s Order Modifying the Claims Bar Date with Publication Notice (“Modified Bar Order”), dated October 7, 2022, I published a notice (the “Notice”) to all creditors of DIG, including Hewlett-Packard Financial Services Company (“Claimant”), in the *Houston Chronicle* on October 14, 2022, October 21, 2022, and October 28, 2022. Additionally, I published the Notice to all creditors, including Claimant, online at the Houston Chronicle’s website from October 14, 2022 until November 12, 2022. True and correct copies of the publications are attached as **Exhibit B** to the Objection.

4. Beginning December 8, 2022 until February 6, 2023, the Estate of Michael Udayan, the receiver for DIG prior to his death, produced to me a number of documents related to DIG that a data forensic firm had been able to extract from Mr. Udayan’s electronic devices.

5. From the document productions, I became aware that Claimant may be a creditor of DIG. Accordingly, shortly thereafter on February 16, 2023, I served the Notice and the Modified Bar Order to Claimant and filed the corresponding Certificate of Service. (Dkt. 189). **Exhibit D** to the Objection is a true and correct copy of the Certificate of Service I filed.

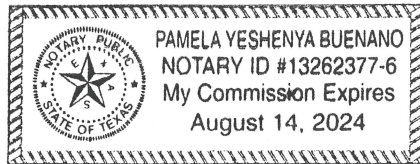
6. On March 8, 2023, Claimant filed Claim No. 12 in the amount of \$17,629.11 for amounts allegedly due for the lease of certain equipment. **Exhibit E** to the Objection is a true and correct copy of Claimant’s proof of claim, which includes: (A) a 48-month Business Lease Agreement, dated February 6, 2018, and signed by Ningbo Xu as the president of DIG, and (B) a lease payment schedule.

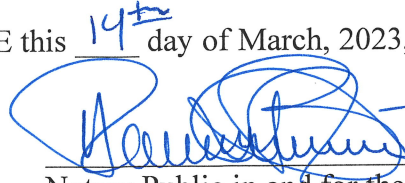
7. I object to the Claim because it was filed after the deadline to file claims for money owed by DIG, March 1, 2023. Claimant received reasonable and adequate notice of the Claims Bar Date by publications and by United States mail. As such, the Claim should be barred.

8. Based upon the foregoing, I request that the Court sustain my Objection and enter an order disallowing the Claim in full.

  
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Ronald J. Sommers

SWORN TO AND SUBSCRIBED BEFORE ME this 14<sup>th</sup> day of March, 2023, to certify which witness my hand and seal of office.



  
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Notary Public in and for the State of Texas  
My Commission Expires: